

IN THE MATTER OF PROPOSED AMENDMENTS TO:)		
REGULATION II - PERMITS	)	
REGULATION IV - PROHIBITIONS	)	<u>RESOLUTION</u>
REGULATION V - PROCEDURES BEFORE THE	)	<u>ADOPTING</u>
HEARING BOARD	)	<u>AMENDMENTS</u>
REGULATION VI - AIR POLLUTION	)	<u>AND</u>
EMERGENCY CONTINGENCY	)	<u>FINDINGS</u>
PLAN	)	

WHEREAS, the San Joaquin Valley Unified Air Pollution Control District (District) is a duly constituted unified district, as provided in California Health and Safety Code Sections 40150 to 40161;

WHEREAS, said district is authorized by California Health and Safety Code Section 40702 to make and enforce all necessary and proper orders, rules, and regulations to accomplish the purposed of Division 26 of the Health and Safety Code;

WHEREAS, a public hearing on May 21, 1992, for the adoption of the rules and regulations amendments was duly noticed in accordance with California Health and Safety Code Section 40725.

NOW, THEREFORE, IT IS RESOLVED by the District as follows:

1. The Board hereby adopts the amendments to the District's Rules and Regulations, as set forth in Exhibit "A", attached hereto adopted and incorporated herein by this reference.

The foregoing referenced Rules and Regulations, attached thereto as Exhibit "A".

2. The Board hereby finds, based on the evidence and information presented at the hearing upon which its decision is based, as follows:

a. All notices required to be given by law have been duly given in accordance with Health and Safety Code Section 40725, and the Board has allowed public testimony in accordance with Health and Safety Code Section 40726.

3. In connection with the adoption of the above referenced amendments to the existing rule, the Board makes the following findings as required by California Health and Safety Code Section 40727:

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Air Pollution Control District  
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a. **NECESSITY.** The Board finds, based on the staff reports, public and industry testimony, and on the record for this rulemaking proceedings, that a need exists for the adoption of the amended rule as contained in Exhibit "A". Adoption of the amended rule, therefore, is necessary to improve the enforceability of the rule and to comply with State and Federal Clean Air Act requirements.

b. **AUTHORITY.** The Board finds that it has the legal authority to adopt the above referenced rule under the California Health & Safety Code Sections 40000 and 40001

c. **CLARITY.** The Board finds that the rule is written or displayed so that their meaning can be easily understood by those persons or industries directly affected by them.

d. **CONSISTENCY.** The Board finds that the rules are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.

e. **SOCIOECONOMIC IMPACT.** The Board finds the based on the available data, the amendments to the rules and regulations will not cause and adverse socioeconomic impact on the industry or the businesses affected by these amendments.

4. The Board finds, based on the record of this rulemaking proceedings and pursuant to Sections 40703 and 40922 of the Health and Safety Code, that the attached rule is the most cost effective of the available options considered by the Board.

5. The Board further finds that because the proposed action to adopt the amended rules contained in Exhibit "A" is to assure maintenance, restoration, enhancement, or protection of the environment, the proposed action is, therefore, categorically exempt from the provisions of the California Environmental Quality Act of 1970 (CEQA) under the provisions of Sections 15000 and 15308 of the State CEQA guidelines.

6. The APCO shall cause to be filed an appropriate Notice of Exemption with the County Clerks of each of the zones of the Unified District.

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7. The APCO is further directed to cause to be filed with all appropriate agencies certified copies of this resolution and the rules adopted herein and is directed to maintain a record of this rulemaking proceedings in accordance with Health and Safety Code section 40728.

ON MOTION BY Supervisor HAMMOND and seconded by Supervisor BOHIGIAN, the foregoing resolution was adopted by the San Joaquin Valley Unified Air Pollution Control District Board this 21st day of May, 1992 by the following votes:

AYES : Boardmembers Hammond, Bohigian, McLaughlin, Gould, Vagim, Peterson, Bradley, Blom, Sousa, Larwood and Jensen

NOES : NONE

ABSENT: NONE

  
CHAIRMAN  
SAN JOAQUIN VALLEY UNIFIED  
AIR POLLUTION CONTROL DISTRICT

ATTEST:  
Clerk

By: Gissy Smith

IN THE MATTER OF PROPOSED AMENDMENTS TO:	)	
REGULATION I - GENERAL PROVISIONS,	)	
REGULATION II - PERMITS,	)	
REGULATION III - FEES,	)	<u>RESOLUTION</u>
REGULATION IV - PROHIBITIONS,	)	<u>ADOPTING</u>
REGULATION V - PROCEDURE BEFORE THE	)	<u>AMENDMENTS AND</u>
HEARING BOARD,	)	<u>FINDINGS</u>
REGULATION VI - AIR POLLUTION EMERGENCY	)	
CONTINGENCY PLAN,	)	
REGULATION VII - TOXIC AIR POLLUTANTS	)	

**WHEREAS**, the San Joaquin Valley Unified Air Pollution Control District (District) is a duly constituted unified district, as provided in California Health and Safety Code Sections 40150 to 40161;

**WHEREAS**, said district is authorized by California Health and Safety Code Section 40702 to make and enforce all necessary and proper orders, rules, and regulations to accomplish the purpose of Division 26 of the Health and Safety Code;

**WHEREAS**, a public hearing for the adoption of the rule amendments was duly noticed for December 17, 1992 in accordance with California Health and Safety Code Section 40725.

**NOW, THEREFORE, IT IS RESOLVED** by the District as follows:

1. The Board hereby adopts the amendments to the District's Rules and Regulations, as set forth in "Exhibit A", attached hereto adopted and incorporated herein by this reference.

2. The Board hereby finds, based on the evidence and information presented at the hearing upon which its decision is based, that all notices required to be given by law have been duly given in accordance with Health and Safety Code Section 40725, and the Board has allowed public testimony in accordance with Health and Safety Code Section 40726.

3. In connection with the adoption of the above referenced amendments to the existing rules, the Board makes the following findings as required by California Health and Safety Code Section 40727:

a. **NECESSITY.** The Board finds, based on the staff reports, public and industry testimony, and on the record for this rulemaking proceedings, that a need exists for the adoption of the amended rules as contained in "Exhibit A". Adoption of the amended rules, therefore, is necessary to comply with requirements of the state and federal Clean Air Acts.

b. **AUTHORITY.** The Board finds that it has the legal authority to adopt the above referenced rules under the California Health & Safety Code Sections 40000 and 40001.

c. **CLARITY.** The Board finds that the rules are written or displayed so that their meaning can be easily understood by those persons or industries directly affected by them.

d. **CONSISTENCY.** The Board finds that the rules are in harmony with, and not in conflict with or contradictory to, existing statutes, court decisions, or state or federal regulations.

e. **SOCIOECONOMIC IMPACT.** The Board finds that based on the available data, the amendments to the rules and regulations will not cause any adverse socioeconomic impact on the industry or the businesses affected by these amendments.

4. The Board finds, based on the record of this rulemaking proceedings and pursuant to Sections 40703 and 40922 of the Health and Safety Code, that the attached rule is the most cost effective of the available options considered by the Board.

5. The Board further finds that because the proposed action to adopt the amended rules contained in "Exhibit A" is to assure maintenance, restoration, enhancement, or protection of the environment, the proposed action is, therefore, categorically exempt from the provisions of the California Environmental Quality Act of 1970 (CEQA) under the provisions of Sections 15000 and 15308 of the State CEQA guidelines.

6. The APCO shall cause to be filed an appropriate Notice of Exemption with the County Clerks of each of the counties in the San Joaquin Valley Unified Air Pollution Control District.

7. The APCO is further directed to cause to be filed with all appropriate agencies certified copies of this resolution and the rules adopted herein and is directed to maintain a record of this rulemaking proceedings in accordance with Health and Safety Code Section 40728.

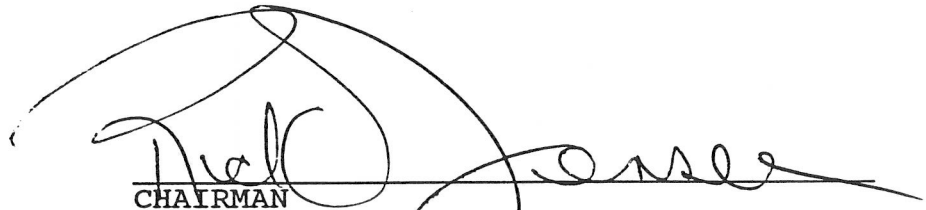
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REGULATIONS I THROUGH VII  
December 17, 1992  
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ON MOTION BY Board Member BOGNA and  
seconded by Board Member BOHIGIAN, the foregoing  
resolution was adopted by the San Joaquin Valley Unified Air  
Pollution Control District Board this 17th day of December 1992 by  
the following votes:

AYES : Boardmembers Bogna, Bohigian, McLaughlin, Gould, Hammond, Vagim,  
Bradley, Blom, Sousa, Larwood and Jensen.

NOES : None

ABSENT: None

  
CHAIRMAN  
SAN JOAQUIN VALLEY  
UNIFIED AIR POLLUTION CONTROL DISTRICT

ATTEST:  
Clerk

By: Gussy Smith